



**W.P(MD)No.5823 of 2021**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED: 26.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN  
and  
THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.5823 of 2021  
and  
W.M.P(MD)Nos.4579 & 4580 of 2021**

R.Alagesan

... Petitioner

**Vs.**

- 1.The Secretary,  
Industries Department,  
Fort St.George,  
Chennai.
- 2.The Commissioner of Geology  
and Mining,  
Guindy, Chennai – 600 032.
- 3.The District Collector,  
Dindigul District,  
Dindigul.
- 4.The Assistant Director,  
Department of Geology  
and Mining,  
Collectorate,  
Dindigul District.



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5.The Revenue Divisional Officer,  
Palani,  
Dindigul District.

6.The Tahsildar,  
Guziliamparai Taluk,  
Dindigul District.

7.M/s.Chettinad Cement Corporation Limited,  
Represented by its Director,  
603, Anna Salai,  
Rani Seethai Hall,  
Chennai – 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 to take appropriate action against the 7th respondent for illegal exploitation of lime stone at lands in Survey Nos.1134/2, 1326, 1358/3, 1359/3, 1374/1 and 1399, Karikali Village, Guziliamparai Taluk, Dindigul District and further directing the respondents 1 to 6 to restore the cart track to ensure access to the village by the villagers and further directing the respondents 1 to 6 to restore the Parai Deivanaikulam Kanmai and its feeding water channels on the basis of the representation of the petitioner and the other villagers dated 13.02.2021 within the time frame fixed by this Court.

For Petitioner : Mr.B.Saravanan

For Respondents : Mr.R.Baskaran  
Additional Advocate General  
Assisted by  
Mr.A.Kannan  
Additional Government Pleader  
for R.1 to R.6



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Mr.T.Lajapathy Roy  
Senior Counsel  
for Mr.Raghuvaran Gopalan for R.7

**ORDER**

Heard both sides.

2.The petitioner is a resident of Ichikinathupatti, Karikali Village, Guziliamparai Taluk, Dindigul District. He filed this writ petition for directing the authorities to take action against the seventh respondent herein for illegally conducting quarrying activities in the petition mentioned survey numbers.

3.After a detailed consideration of the entire materials on record, we were satisfied that Survey Nos.1092/1, 1358/3 and 1359/3 alone are water bodies. Unfortunately, the GO issued in favour of the seventh respondent had included S.F.No.1092/1 also as a permitted quarry site. This is clearly against the relevant statutory rules.

4.Faced with this, the seventh respondent on their own came forward and submitted that all the aforementioned water bodies would be completely kept out of any quarrying activities. It is also further stated that their character as a water body will also be maintained intact and if possible restored.



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5.We called upon the District Collector, Dindigul to conduct field inspection and submit a report if any illicit mining had taken place. The counter affidavit filed by the District Collector indicates that illicit mining to the tune of Rs.92,352/- metric tones had taken place. Thereafter, show cause notice was issued to the seventh respondent vide RC.No.175/Mines/2024 dated 27.03.2025 and fine amount of Rs.5,00,000/- was levied. Copy of the said order was made available.

6.It appears that quarrying activities were carried out within the prohibited distance from water bodies. Even if they had been permitted to be done so by the GO, we have to necessarily hold that permission to conduct quarrying activities within the prohibitory distance of a water body is void. Unfortunately, in this case, even a water body had been wrongly included in the list of permitted quarrying sites. We therefore direct the concerned authority to make a fresh assessment under Section 21(5).

7.We direct the officials concerned to ensure that this assessment is properly made and the requisite amounts are also duly recovered from the seventh respondent. The seventh respondent has filed an affidavit undertaking to carry out CSR activities in and around Karikali Village. Paragraph 7 of the affidavit filed by the seventh respondent reads as follows:



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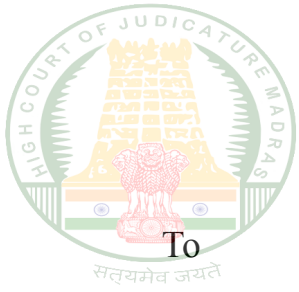
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*“7. The Respondent no.7 proposes to provide an overhead water tank and drinking water to Ichikinathupatti hamlet and any other hamlets which do not have overhead water tanks, the funds could be provided under CSR schemes by the Respondent no.7 which could be spent along with the local bodies. It had also proposed to desilt Ten kulams located in and around Karikali Village outside the lease area namely 1.Rajalingampillaikulam, 2.Ramasamuthrakulam, 3.Nagireddy kulam, 4.Kurumbapattikulam, 5.Subbuchettikulam, 6.Pirappakoundanpattikulam, 7.Lakshmikoundankulam, 8.Manickankulam, 9.Kilavankulam, 10.Vellachettikulam. The might answer the second part of the prayer of this Writ Petition.”*

8.We direct the seventh respondent to abide by the aforesaid undertaking. With the aforesaid directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

**[G.R.S., J.] [B.P., J.]**  
**26.06.2025**

NCC : Yes / No  
Internet : Yes / No  
Index : Yes / No  
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**G.R.SWAMINATHAN, J**

**and**

**B.PUGALENDHI, J.**

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